

Original sponsors: Hanley, Zawacki,
and Leman

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 3 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to art in public places; repealing
7 the art in public places fund; and providing for an
8 effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 35.27.020(c) is amended to read:

11 (c) At least one percent or, in the case of a rural school
12 facility, at least one-half of one percent of the construction cost of
13 a building or facility, up to a total of \$50,000 on any one project,
14 shall [APPROVED FOR CONSTRUCTION BY THE LEGISLATURE AFTER SEPTEMBER 1,
15 1977, WILL] be reserved for the following purposes: the design, con-
16 struction, mounting and administration of works of art in a school,
17 office building, court building, vessel of the marine highway system,
18 or other building or facility that [WHICH] is subject to substantial
19 public use. If the building is a school or post-secondary educational
20 facility, the selection committee established under AS 35.27.021 may
21 use part of the money reserved under this subsection for an artist-
22 in-residence program. All administrative costs, including those of
23 the department, associated with the art project shall be paid from the
24 money reserved under this subsection.

25 * Sec. 2. AS 35.27.020(g) is amended to read:

26 (g) Each selection committee established under AS 35.27.021 [THE
27 ARCHITECT, SUPERINTENDENT, DEPARTMENT, AND THE ALASKA STATE COUNCIL ON
28 THE ARTS] shall encourage the use of state cultural resources in these
29 art works and shall select [THE SELECTION OF ALASKA RESIDENT] artists

1 for the commission of these art works who are residents of the state
2 under AS 01.10.055. A work of art shall be identified by a permanent
3 plaque installed on or near the work of art. The plaque must contain
4 the name or title of the work of art, the name of the artist, the year
5 of completion, and the names of the members of the selection commit-
6 tee.

7 * Sec. 3. AS 35.27 is amended by adding a new section to read:

8 Sec. 35.27.021. SELECTION OF ART. (a) The artist who executes
9 a work of art for a public school shall be selected by a majority vote
10 of a committee, with the approval of the school board. The committee
11 shall be composed of the superintendent or principal, one represen-
12 tative from the school district staff, and three members of the public
13 who reside in the community where the school is located. The presi-
14 dent of the school board or a designee shall provide reasonable public
15 notice that public member seats on the committee are available. The
16 school board shall select the representative from the school district
17 and the members of the public. The committee may consult with the
18 Alaska State Council on the Arts, the architect, and the project
19 manager administering the facility construction project.

20 (b) Except as provided in (a) of this section, an artist who
21 executes a work of art for buildings and facilities shall be selected
22 by a majority vote of a committee convened by the project manager
23 administering the facility construction. The committee shall be
24 composed of the architect, the project manager, a designee of the
25 Alaska State Council on the Arts, a designee of the principal user of
26 the public building or facility, and three members of the public who
27 reside in the community where the building is located. To select the
28 public members, the department shall advertise for applicants by
29 appropriate public notice and pick the members by lottery from among

1 the applicants.

2 (c) All meetings of a selection committee under (a) or (b) of
3 this section are subject to the public meeting and notice requirements
4 of AS 44.62.310.

5 * Sec. 4. AS 44.27.052 is amended to read:

6 Sec. 44.27.052. POWERS OF COUNCIL. The council may (1) hold
7 public and private hearings; (2) enter into contracts, within the
8 limit of funds available, with individuals, organizations, and insti-
9 tutions for services furthering the educational objectives of the
10 council's programs; (3) enter into contracts, within the limit of
11 funds available, with local and regional associations for cooperative
12 endeavors furthering the educational objectives of the council's
13 programs; (4) accept gifts, contributions, and bequests of unrestrict-
14 ed funds from individuals, foundations, corporations, and other orga-
15 nizations or institutions for the purpose of furthering the education-
16 al objectives of the council's programs; and (5) make and sign agree-
17 ments and to do and perform any acts necessary to carry out the pur-
18 poses of AS 44.27.040 - 44.27.058 [AS 44.27.040 - 44.27.060]. The
19 council may request and is entitled to receive from any department,
20 division, board, bureau, commission, or agency of the state the assis-
21 tance and data that will enable it properly to carry out its powers
22 and duties. The council is authorized to receive state funds made
23 available for its purposes.

24 * Sec. 5. AS 35.27.020(e), 35.27.020(f); AS 44.27.050(6), and 44.27.060
25 are repealed.

26 * Sec. 6. The amendments made by this Act do not apply to the construc-
27 tion of a building or facility if, before the effective date of this Act, a
28 contract has been entered into to meet the art requirements under this
29 chapter for the building or facility.

1 * Sec. 7. This Act takes effect immediately under AS 01.10.070(c).